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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/618,537

07/18/2000

Hiroshi Tanaka

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06/03/2004

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EXAMINER

PARK, CHAN S

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/618,537

Applicant(s)

TANAKA ET AL.

Examiner

CHAN S PARK

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 3/18/04, and has been entered and made of record. Currently, **claims 1 and 9** are pending.

Drawings

2. The corrected or substitute drawings were received on 3/18/04. These drawings are acceptable.

Specification

3. The corrected or substitute specification was received on 3/18/04. The specification is acceptable.

Response to Arguments

4. Upon review of the reference of Kawamoto (U.S. Patent No. 6,486,971), which was cited in the Office Action dated 12/9/03 under 35 U.S.C. 102(e), as being clearly anticipating *claim 1*, the examiner notes that the reference can still be interpreted as anticipating the claims, as currently amended.

Particularly, as amended, *claim 1*, now requires "an enlarging variable magnification unit for carrying out variable magnification processing following write processing and read processing of image data to and from the first-in, first-out memory during image enlargement", and "a reducing variable magnification unit for writing image data to the first-in, first-out memory after variable-magnification is carried out during

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image reduction." Referring to figs. 5 and 6, Kawamoto teaches the image enlarging processing following write processing and read processing of image data to and from a single FIFO memory (col. 8, line 3-7 & col. 8, line 59 – col. 9, line 6) and the image reducing processing by writing image data to a single FIFO memory after variable-magnification process (col. 9, line 7-12).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., slightly changing the magnification ratio and small change in the magnification ratio in the last paragraph of page 19 to the first paragraph of page 20) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Additionally, fig. 5 shows a single enlarging/reducing process device 53. Thus, it is apparent that a single FIFO memory is in the system.

5. With respect to newly added claim 9, the Office interprets that the claim is rejected under 103 U.S.C. 102(e) as being anticipated by Kawamoto. Again, referring to figs. 5 and 6, the image processing apparatus of Kawamoto discloses an image processing apparatus, comprising:

a line memory (FIFO 63) for storing one line worth of data (col. 8, lines 63-64);

a plurality of image forming means (semiconductor laser elements of the laser array unit 14 in col. 6, line 23);

a plurality of output lines (lines connected to the input of the semiconductor laser elements) for connecting the line memory and the plurality of image forming means;

a plurality of switching means (LED writing head control device 37) for turning the plurality of output lines on or off individually; and

a variable-magnification processing means (enlarging/reducing process 53 in fig. 5) for increasing and decreasing the number of times to turn on the switching means in correspondence to magnification ratio.

Note that since the image data saved in the FIFO is transferred to the printer control 36 and the LED writing control 37 having the semiconductor laser elements for printing process, it is inherent to a person of ordinary skill in the art that the FIFO is connected to the plurality of image forming means (semiconductor laser elements) directly or indirectly by plurality of output lines.

Furthermore, it should be noted that the functionality of each semiconductor laser elements depends on the image data processed by the image process device 33, which includes the enlarging/reducing process of fig. 5. Specifically referring to col. 6, lines 22-23, depending on the image data processed by the enlarging/reducing process 53, the current to be given to each of the semiconductor laser elements is controlled or switched by the LED writing control device 37. Therefore, it is inherent that when the image is reduced, certain semiconductor laser elements turn off in certain area of the image by stopping the current, and when the image is enlarged, certain semiconductor laser elements turn on in certain area of the image by allowing the current to flow.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., forming a multiple lines worth of image simultaneously) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawamoto.

6. With respect to claim 1, Kawamoto discloses an image processing apparatus provided with a capability of carrying out variable magnification of image data, comprising:

a single FIFO memory for carrying out write/read processing of image data (col. 8, line 3-7);

an enlarging variable magnification unit for carrying out variable magnification processing following write processing and read processing of image data to and from the first-in, first-out memory during image enlargement (col. 8, line 3-7 & col. 8, line 59 – col. 9, line 6); and

a reducing variable magnification unit for writing image data to the first-in, first-out memory after variable-magnification is carried out during image reduction (col. 9, line 7-12).

7. With respect to claim 9, Kawamoto discloses an image processing apparatus provided with a capability of carrying out variable magnification of image data, comprising:

a line memory (FIFO 63) for storing one line worth of data (col. 8, lines 63-64);

a plurality of image forming means (semiconductor laser elements of the laser array unit 14 in col. 6, line 23);

a plurality of output lines (lines connected to the input of the semiconductor laser elements) for connecting the line memory and the plurality of image forming means;

a plurality of switching means (LED writing head control device 37) for turning the plurality of output lines on or off individually; and

a variable-magnification processing means (enlarging/reducing process 53 in fig. 5) for increasing and decreasing the number of times to turn on the switching means in correspondence to magnification ratio.

Note that since the image data saved in the FIFO is transferred to the printer control 36 and the LED writing control 37 having the semiconductor laser elements for

printing process, it is inherent that the FIFO is connected to the plurality of image forming means (semiconductor laser elements) directly or indirectly by plurality of output lines.

Furthermore, it should be noted that the functionality of each semiconductor laser elements depends on the image data processed by the image process device 33, which includes the enlarging/reducing process of fig. 5. Specifically referring to col. 6, lines 22-23, depending on the image data processed by the enlarging/reducing process 53, the current to be given to each of the semiconductor laser elements is controlled or switched by the LED writing control device 37. Therefore, it is inherent that when the image is reduced, certain semiconductor laser elements turn off in certain area of the image by stopping the current, and when the image is enlarged, certain semiconductor laser elements turn on in certain area of the image by allowing the current to flow.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (703) 305-2448. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
May 18, 2004

Chan S. Park
Examiner
Art Unit 2622


EDWARD COLES
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